



Office of the District Attorney Stanislaus County

Birgit Fladager
District Attorney

Assistant District Attorney
David P. Harris

Chief Deputies
Annette Rees
Marlisa Ferreira
Stephen R. Robinson
Jeffrey M. Laugero
Jeff Mangar

Bureau of Investigation
Chief Terry L. Seese

PRESS RELEASE

For Immediate Release

Date: August 7, 2020
Re: Edward Mitchell
Parole denied

For More Information Contact:

John Goold, Public Information Liaison
Phone: (209) 525-6909

Modesto, California - Stanislaus County District Attorney Birgit Fladager announced today that Edward Mitchell, age 33, of Modesto, was denied parole at the conclusion of a hearing by the Board of Parole Hearings held at the California State Prison at Solano. Assistant District Attorney David P. Harris attended the hearing via video on behalf of the District Attorney's Office.

The following summary of facts was taken from the original Probation Officer's report prepared for the inmate's sentencing hearing and made part of the Parole Hearing record:

On April 20, 2006, an officer from the Modesto Police Department responded to a report at the AM/PM mini market located at 2033 Standiford Avenue in Modesto, CA. The reporting party advised he was robbed and shot. Upon arrival, the officer contacted the victim clerk who was identified as Gilbert Mata. He had been robbed while working at the store and was shot in the side of his abdomen. Mata had been ordered at gunpoint by Mitchell to put the money in a bag and then get on the ground. Mata complied and then Mitchell shot him as he laid on the ground. The crime was captured on security video.

On April 20, 2006, shortly after the AM/PM robbery, an officer from the Modesto Police Department was dispatched to Stop-N-Save at 3460 Oakdale Road in Modesto, CA to a report of an armed robbery. Upon arrival, the officer contacted the victims, Chao Nai – the store clerk, and Steven Holt – a witness in the store. Mitchell entered the store brandishing a gun at Nai and told him to take all of the money out of the cash register and put it in a bag. After Nai took the money out of the cash register, he put it in a bag and handed it to Mitchell. Mitchell put the gun up to Nai's head and told him to lie on the ground. Nai followed the robber's commands. Mitchell then ordered Holt to get on the ground. Mitchell then pointed the gun at Nai as Nai laid on the floor; Mitchell then pulled the trigger; however, the gun did not fire. Both Nai and Holt heard the click of the misfire. The robber then fled. The incident was captured on surveillance video.

Office: 832 12th Street, Suite 300 Modesto, CA 95354 Mailing: PO BOX 442 Modesto, CA 95353
Telephone: (209) 525-5550 Fax: (209) 558-4027 www.stanislaus-da.org



<https://www.facebook.com/StanislausDistrictAttorney/>

On April 22, 2016, several units of the Modesto Police Department responded to Stop-N-Save located at 1424 Coffee Road in Modesto, CA, to a report of a robbery with the store clerk being shot. The store clerk, Willey Martinez Vazquez Jr., was contacted at Memorial Medical Center where he was being treated for his gunshot, reported that a man entered the store and said to him, "Put the money into a bag and give it to me." Mitchell had black gloves on and was holding a semiautomatic handgun in his left hand pointed at Vasquez. He stated Mitchell commanded him to get the money out of the first register and said, "You have twenty seconds to get the money or I am going to shoot you." Vasquez placed the money inside a white plastic bag. Mitchell then told him to get the money from the second register. Vasquez put the money from the second register into the same bag. Vasquez then placed the money bag at the end of the counter. Mitchell picked up the bag with his right hand and said to Vasquez, "Back away from me," while pointing the gun at him. As Vasquez began to step backwards, Mitchell then shot Vasquez and then fled the area. Vasquez was able to call the police and was transported to the hospital via an ambulance. The crime was captured on video surveillance.

On June 15, 2006, a search warrant was executed at 1600 Sylvan Avenue, a location associated with Mitchell. The search yielded evidence supporting the defendant's involvement in several robberies including the gun used to shoot the store clerks.

Mitchell was convicted by a Stanislaus County jury of three counts of Robbery in violation of Penal Code section 211, with enhancements for using a firearm, discharging a firearm and inflicting bodily injury with a firearm. According to the Probation report, Mitchell was facing two life terms. However, Judge Marie Sovey Silveira exercised her discretion and dismissed the two gun enhancements that required life sentences and sentenced Mitchell to a term of 35 years making him eligible for parole in two years. Judge Silveira stated at sentencing "...even when the People were presented with the fact that Mr. Davis was untruthful [the co-defendant who testified against Mitchell], they chose to go forward. And the jury found what it found, and part of what they found was that Mr. Mitchell was not guilty of some of the crimes that he was charged with."

Since being incarcerated, Mitchell has confessed to these crimes and admitted he shot the two victims because he was "angry." Mitchell denied that he is in a prison gang but was confronted with his gang tattoo and institution records documenting his involvement in prison violence. Mitchell also attempted to downplay his prior sexual assault conviction to the Board.

Assistant District Attorney Harris asked the board to deny parole based on Mitchell's admitted senseless violence, lack of credibility as shown by his evasive statements during the hearing and his lack of insight into his violent behavior, manifesting the danger he poses to the community if he were to be released.

At the conclusion of the hearing, the Board denied parole for another five years. This was Mitchell's first parole hearing since being sentenced in 2018.

#